

**United States District Court
For The Western District of North Carolina**

UNITED STATES OF AMERICA

V.

RICKY EUGENE EVERHART
(Name of Defendant)

AMENDED JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Case Number: DNCW 503CR000034-001
USM Number: 17925-058

Date of Original Judgment: 1/6/05

Mark Foster

(Or Date of Last Amended Judgment)

Defendant's Attorney

Reason for Amendment:

- ☒ Correction of Sentence on Remand (Fed. R. Crim. P. 35(a))
☐ Reduction of Sentence for Changed Circumstances (Fed. R. P. 35(b))
☐ Correction of Sentence by Sentencing Court (Fed. R. Crim. P.)
☐ Correction of Sentence for Clerical Mistake (Fed. R. Crim. P.)

- ☐ Modification of Supervision Conditions (18 U.S.C. §§ 3563© or 3583(e))
☐ Modification of Imposed Term of Imprisonment for Extraordinary and Compelling Reasons (18 U.S.C. § 3582(c)(1))
☐ Modification of Imposed Term of Imprisonment for Retroactive to the Sentencing Guidelines (18 U.S.C. § 3582(c)(2))
☐ Direct Motion to District Court ☐ 28 U.S.C. § 2255 or
☐ 18 U.S.C. § 3559(c)(7)
☐ Modification of Restitution Order 18 U.S.C. § 3664

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

THE DEFENDANT:

- ☐ Pleaded guilty to count(s) .
☐ Pleaded nolo contendere to count(s) which was accepted by the court.
☒ Was found guilty on count(s) 1s, 2s & 3s after a plea of not guilty.

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Counts</u>
21:846 & 841	Conspiracy to possess with intent to distribute a quantity of cocaine base, a Sch. II controlled substance	5/1/03	1s
21:841 & 18:2	Possessing with intent to distribute a quantity of cocaine base, a Sch. II controlled substance and aiding and abetting	5/1/03 3/25/03	2s 3s

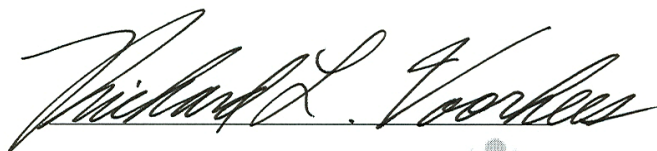
The Defendant is sentenced as provided in pages 2 through 2 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984 reference to Booker, and 128 U.S.C. 3553(a).

- ☐ The Defendant has been found not guilty on count(s) .
☒ Original bill of indictment is dismissed on the motion of the United States.

IT IS ORDERED that the Defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay monetary penalties, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence: February 9, 2009

Signed: February 20, 2009



Richard L. Voorhees
United States District Judge



Defendant: RICKY EUGENE EVERHART
Case Number: DNCW 503CR000034-001

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IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of TWO HUNDRED THIRTY-FIVE (235) MONTHS ON EACH OF COUNTS 1s, 2s and 3s, TO BE SERVED CONCURRENTLY.
ALL OTHER CONDITIONS ARE IDENTICAL TO THE JUDGMENT PREVIOUSLY ENTERED.

☐ The Court makes the following recommendations to the Bureau of Prisons:

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ on _____.

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 pm on _____.

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this Judgment.

United States Marshal

By: _____
Deputy Marshal